APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,491	01/10/2001	Aaron A. Mcbride	10559/323001/P9684	9330

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EXAMINER
HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
2172	6

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No	Applicant(s)
Office Action Summary	09/758,491	MCBRIDE ET AL.
	Examiner	**Art Unit**
	Monplaisir G Hamilton	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 March 2003* .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

1.   Claims 1-21 were pending. The communication filed on 3/26/03 amended Claims 1, 7,

13 and 18. Claims 1-21 remain for examination.

Response to Arguments

2.   Applicant's arguments with respect to Claims 1-21 have been considered but are moot in

view of the new ground(s) of rejection.

Claim Objections

3.   Claims 1, 7, 13 and 18 are objected to because of the following informalities:

Referring to Claims 1, 7 and 13:

Applicant's amendment to these claims recite "determining if a first portion of the data

fields of the other data differs a corresponding first portion of the data fields of the current data

included in a current version of a collection of data that corresponds to the other data while

ignoring differences between a second portion of the data fields of the other data and a

corresponding second portion of the data fields of current data included in the current version of

the collection of data that corresponds to the other data". Applicant has cited, "the server

compares the original data (including the modified data) sent by the first workstation with the

current data. Note that the process need not compare all data fields included in the current data

with the original data. For example, the process may exclude a time and date field including the

current time and date from comparison because the time constantly changes and thus necessarily

varies from the original data to the current data. The comparison is performed in a mutually

exclusive manner such that the current data may not be altered by the server during comparison.

This lock-out prevents near-synchronous modifications to the web page made and submitted to

the server by another user from polluting the current data during comparison." (page 10, line 15-

page 11, line 6) as support of the newly added limitations. Examiner contends that this passage

does not support the claimed determination, using a first and second portion, of whether to apply

the modifications. Applicant can alternatively use an exclusion list to determine which fields

should be ignored. Therefore, applicant's amendment introduces new matter. Appropriate

correction is required.

Referring to Claim 18:

Applicant's amendment to this claim recite "determining if a first portion of the hidden

data differs from a corresponding first portion of current data included in a current version of the

web page; while ignoring differences between a second portion of the data fields of the hidden

data and a corresponding second portion of the data fields of the current data included in the

current version of the web page." Applicant has cited, the aforementioned passage (page 10, line

15-page 11, line 6) as support of the newly added limitations. It is unclear what portion of the

passage supports the claimed first and second portion of hidden data. As stated above an

exclusion list can be used to ignore parts of the data. Therefore, applicant's amendment

introduces new matter. Appropriate correction is required.

Assuming, arguendo, that applicant does have support for the proposed amendment, the

following rejection is applied.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6401103

issued to Ho et al, herein referred to as Ho et al in view of US5898836 issued to Freivald et al,

herein referred to as Freivald.

Referring to Claims 1, 7 and 13:

Ho discloses a method comprising: receiving modified data that is modified from a data

fields of a source version of a collection of data (col 3, lines 55-57) and other (state) data of the

source version of the collection of data (col 3, lines 53-57); and if the first portion of the other

data does not differ, including the modified data in the current data (col 3, lines 65-67; col 4,

lines 1-3).

Ho does not explicitly disclose "determining if a first portion of the data fields of the

other data differs a corresponding first portion of the data fields of the current data included in a

current version of a collection of data that corresponds to the other data while ignoring

differences between a second portion of the data fields of the other data and a corresponding

second portion of the data fields of current data included in the current version of the collection

of data that corresponds to the other data"

Freivald discloses determining if a first portion of the data fields of the other data differs a

corresponding first portion of the data fields of the current data included in a current version of a

collection of data that corresponds to the other data (col 3, lines 40-45; col 4, lines 30-40) while

ignoring differences between a second portion of the data fields of the other data and a

corresponding second portion of the data fields of current data included in the current version of

the collection of data that corresponds to the other data (col 4, lines 1-5; col 4, lines 20-25).

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art to implement Freivald's change detection tool in Ho's synchronization system.

One of ordinary skill in the art would have been motivated to do this because it would allow the

user to specify the relevant portions of the document (col 3, lines 40-45).

Referring to Claim 18:

Ho discloses a method comprising: transmitting a web page including hidden data to

a user (col 4, lines 34-40); receiving a web page from the user including the hidden data and

modified data that is modified from the hidden data (col 3, lines 50-60); if the first portion of

data fields of the hidden data does not differ from the corresponding first portion of data fields of

the current data, including the modified data in the current version of the web page (Fig 6, col 4,

lines 57-59); if the first portion of data fields of the hidden data does differ from the

corresponding first portion of data fields of the current data, enabling the user to verify the data

modified from the hidden data before including the modified data in the current version of the web page (Fig 6, col 4, lines 60-65).

Ho does not explicitly disclose determining if a first portion of the hidden data differs from a corresponding first portion of current data included in a current version of the web page; while ignoring differences between a second portion of the data fields of the hidden data and a corresponding second portion of the data fields of the current data included in the current version of the web page.

Freivald discloses determining if a first portion of the hidden data differs a corresponding first portion of the data fields of the current data included in a current version of the web page (col 3, lines 40-45; col 4, lines 30-40) while ignoring differences between a second portion of the hidden data and a corresponding second portion of the data fields of current data included in the current version of the web page (col 4, lines 1-5; col 4, lines 20-25).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to implement Freivald's change detection tool in Ho's synchronization system. One of ordinary skill in the art would have been motivated to do this because it would allow the user to specify relevant portions of the document (col 3, lines 40-45).

Referring to Claims 2 and 8:

Ho and Freivald disclose the limitations as discussed in Claims 1 and 7 above. Ho further discloses transmitting the modified data to a location having access to the current data (col 4, lines 43-45, 51-55).

Referring to Claims 3 and 9:

Ho and Freivald disclose the limitations as discussed in Claims 1 and 7. Ho further

discloses if the other data does differ from the current data, enabling verification of the modified

data before including the modified data in the current data (col 11, lines 52-56).

Referring to Claim 4 and 10:

Ho and Freivald disclose the limitations as discussed in Claim 3 and 9 above. Ho

further discloses receiving verification and including the modified data in the current data (col

11, lines 52-56).

Referring to Claims 5 and 11:

Ho and Freivald disclose the limitations as discussed in Claims 1 and 7 above. Ho

further discloses the collection of data includes a web page (col 3, lines 45-48).

Referring to Claims 6 and 12:

Ho and Freivald disclose the limitations as discussed in Claims 1 and 7 above. Ho

further discloses the other (state) data includes hidden data (col 4, lines 30-35).

Referring to Claims 14 and 19:

Ho and Freivald disclose the limitations as discussed in Claims 13 and 18 above. Ho

further discloses transmitting the web page including the original data to the user (col 4, lines 26-

35).

Referring to Claim 15:

       Ho and Freivald disclose the limitations as discussed in Claims 13 above. Ho further

discloses also transmitting the current version of the web page to the user (col 4, lines 60-65).

Referring to Claims 16 and 20:

       Ho and Freivald disclose the limitations as discussed in Claims 13 and 18 above. Ho

further discloses enabling the user to verify the modified data includes inserting the modified

data into the current version of the web page, noting the differences between the original data

and the current data on the current version of the web page, transmitting the current version of

the web page to the user, and receiving verification of the current version of the web page from

the user (Fig 6; col 10, lines 15-25, 35-65).

Referring to Claim 17 and 21:

       Ho and Freivald disclose the limitations as discussed in Claims 16 and 20 above. Ho

further discloses including the modified data in the current data after the user verifies the data

modified from the original data (col 10, lines 60-65).

Final Rejection

5.　Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
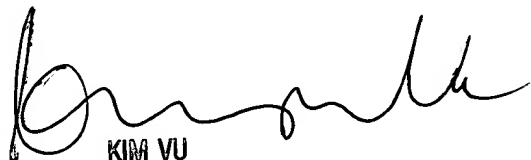
Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-

5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone numbers for the

organization where this application or proceeding is assigned are 1703-746-7239 for regular

communications and 1703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton
June 5, 2003

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100